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SENATE

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TUMACACORI NATIONAL HISTORICAL PARK BOUNDARY REVISION ACT OF 2002

JUNE 27, 2002.—Ordered to be printed

Mr. BINGAMAN, from the Committee on Energy and Natural
Resources, submitted the following

R E P O R T

[To accompany H.R. 2234]

The Committee on Energy and Natural Resources, to which was referred the Act (H.R. 2234) to revise the boundary of the Tumacacori National Historical Park in the State of Arizona, having considered the same, reports favorably thereon without amendment and recommends that the Act do pass.

PURPOSE

The purpose of H.R. 2234 is to revise the boundary of the Tumacacori National Historical Park in the State of Arizona to authorize the addition of approximately 310 acres to the park.

BACKGROUND AND NEED

During the latter part of the 17th century, the Jesuit missionary Father Eusebio Francisco Kino established several missions in what is now northern Mexico and southern Arizona.

One of the missions established by Father Kino was the mission of San Jose de Tumacacori, approximately 45 miles south of Tucson. The mission was originally built in the latter part of the 17th century and used as a “visita,” a site where services were occasionally held. Today the site contains a church and structures constructed under the direction of Jesuit missionaries in the late 1700’s and early 1800’s.

President Theodore Roosevelt declared the site a National Monument in 1908, and set aside nine acres surrounding the mission. In 1990, Tumacacori National Monument was redesignated as Tumacacori National Historical Park and the Secretary of the Inte-

rior acquired the nearby ruins of Los Santos Angeles de Guevavi and the Kino visita and rancheria ruins of Calabazas.

The expansion of the park's boundary would allow the National Park Service to enhance the visitor experience at Tumacacori, add a living history program with livestock and farming, develop more of the Juan Bautista de Anza National Historic Trail that now exists on private land between Tumacacori and the nearby community of Tubac, and develop and expand the outreach of the park and trail with Native American groups and local communities.

The legislation has received the support of the surrounding community. The current owners of the land at issue are willing sellers and most of the land is already listed for sale.

LEGISLATIVE HISTORY

H.R. 2234, sponsored by Representative Ed Pastor, was passed by the House of Representatives on November 28, 2001. The Subcommittee on National Parks held a hearing on H.R. 2234 on February 14, 2002. The Committee on Energy and Natural Resources ordered H.R. 2234 favorably reported at its business meeting on June 5, 2002.

COMMITTEE RECOMMENDATION

The Senate Committee on Energy and Natural Resources, in open business session on June 5, 2002, by a voice vote of a quorum present, recommends that the Senate pass H.R. 2234.

SECTION-BY-SECTION ANALYSIS

Section 1 entitles the bill "Tumacacori National Historical Park Boundary Revision Act of 2002."

Section 2 sets forth the findings and the purposes.

Section 3 amends section 1(b) of Public Law 101-344 (16 U.S.C. 410ss(b)) to expand the boundary of the Tumacacori National Historical Park by adding two separate parcels, which are adjacent to the original Tumacacori unit of the park. The addition totals approximately 310 acres.

COST AND BUDGETARY CONSIDERATIONS

The following estimate of the costs of this measure has been provided by the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, June 11, 2002.

Hon. JEFF BINGAMAN,
Chairman, Committee on Energy and Natural Resources,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 2234, the Tumacacori National Park Boundary Revision Act of 2002.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Deborah Reis.

Sincerely,

BARRY B. ANDERSON
(For Dan L. Crippen, Director).

Enclosure.

H.R. 2234—Tumacacori National Historical Park Boundary Revision Act of 2002

H.R. 2234 would expand the boundary of the Tumacacori National Historic Park in Arizona. Adjusting the boundary would enable the National Park Service (NPS) to acquire about 310 acres of land adjacent to the existing parks, which currently consists of about 46 acres.

Assuming appropriation of the necessary amounts, CBO estimates that implementing H.R. 2234 would cost the federal government about \$3 million over the next five years and about \$100,000 annually thereafter. We estimate that the NPS would spend between \$2 million and \$2.5 million of this amount over the next year or two to purchase the land that would be added to the park by the act. An estimated \$350,000 would be spent over the following two or three years to improve a trail system and rehabilitate an orchard on the property. We estimate that recurring operation and maintenance costs for the park would increase by about \$100,000 a year, assuming appropriation of the necessary amounts.

H.R. 2234 would not affect direct spending; therefore pay-as-you-go procedures would not apply. The legislation contains no inter-governmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would have no significant impact on the budgets of state, local, or tribal government.

On December 4, 2001, CBO transmitted a cost estimate for H.R. 2234 as ordered reported by the House Committee on Resources on November 28, 2001. The two versions of the legislation are identical, as are our cost estimates.

The CBO staff contact for this estimate is Deborah Reis. This estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out H.R. 2234. The bill is not a regulatory measure in the sense of imposing Government-established standards or significant responsibilities on private individuals and businesses.

No personal information would be collected in administering the program. Therefore, there would be no impact on personal privacy.

Little, if any, additional paperwork would result from the enactment of H.R. 2234.

EXECUTIVE COMMUNICATIONS

The testimony provided by the National Park Service at the subcommittee hearing follows:

STATEMENT OF DURAND JONES, DEPUTY DIRECTOR, NATIONAL PARK SERVICE, U.S. DEPARTMENT OF THE INTERIOR

Mr. Chairman, thank you for the opportunity to present the Department of the Interior's views on H.R. 2234. This bill would revise the boundary of Tumacacori National Historical Park in the State of Arizona.

The Department supports H.R. 2234, as passed by the House to correct the name and number of the map reference in the bill. On November 13, 2001 the Department testified in support of H.R. 2234 before the Subcommittee on National Parks, Recreation, and Public Lands, of the House Committee on Resources, suggesting one technical amendment relating to the name and number of the map reference in the bill which was adopted by the subcommittee at the markup held on November 15th.

The legislation would allow the park to fulfill the original purposes for which it was established, create more opportunities to expand educational and recreational partnerships within the new boundary and beyond, and has received the support of the surrounding community. Expanding the boundary of Tumacacori NHP would fulfill one of the goals identified in the park's approved General Management Plan, and the owners of the lands proposed for addition have expressed a willingness to sell.

H.R. 2234 would amend Public Law 101-344, the Act authorizing the establishment of Tumacacori National Historical Park, and expand the boundary of the park by adding two separate parcels, which are adjacent to the original Tumacacori unit of the park and total approximately 310 acres. The legislation also defines the purpose for adding these lands.

Tumacacori National Historical Park is a 45-acre unit of the National Park System because the mission is an outstanding example of 18th century Spanish Colonial architecture and served as the source and center of a community and a way of life that survived for centuries in a harsh and demanding environment. To tell that story means more than protecting a building. It means protecting the resources that nourished and maintained it—its orchards, crops, and fields. The proposed additions to the boundary contain these resources.

Tumacacori is one of a chain of missions established by the Spanish in the Pimería Alta (land of the Upper Pima Indians) from Sonora, Mexico to San Xavier del Bac near Tucson. Father Kino established Mission San Cayetano de Tumacacori approximately forty miles south of present day Tucson in 1691. At its height, the mission land grant included nearly 6,000 acres.

Theodore Roosevelt set aside 9 acres immediately around the church as Tumacacori National Monument in 1908. The boundary of the monument was revised with the addition of 6 acres in 1978. In 1990 the missions of Guevavi (8 acres) and Calabazas (22 acres), to the south

along the Santa Cruz River, were added and the park redesignated a National Historical Park.

The 18th and 19th century Tumacacori Mission encompassed not only a church and its associated compound, but also homes for the native people. The mission supported itself by what it could grow and graze on its lands along the Santa Cruz River. Vegetables and fruits grew in a large (5 acres) walled orchard and garden irrigated by the acequia (irrigation ditch). Eventually homesteaders settled mission lands, and by the time Tumacacori National Monument was set aside all of the former mission lands were in private ownership. Today the mission stands divorced from its land and people. One quarter of the historic orchard and its visible wall remains. The majority of the acequia, mission farmland and a section of the Santa Cruz River all lie on adjacent private land.

The park's General Management Plan (1996) identified the need to acquire additional lands to obtain the rest of the mission orchard. Acquisition of the entire historic remains of the orchard, former mission farmlands and the acequia would allow the park to recreate a 19th century cultural landscape. Future visitors would understand that the mission was not just a church but a complete self-sustaining community. The nearby Santa Cruz River, a desert riparian area, is a vital educational tool to understand how the native and mission communities were able to develop and thrive in the desert. In addition, expansion of the park boundary would allow the National Park Service to enhance the recreational experience of visitors along the Juan Bautista de Anza National Historic Trail between Tubac and Tumacacori as well as partner with communities all along the Santa Cruz River to further develop the recreational and educational values of the trail.

The two parcels of private land proposed to be included in the Tumacacori NHP boundary are a 90-acre parcel to the south and east and a 220-acre parcel to the north and east. The owners have expressed their interest in selling to the National Park Service. Acquisition costs for the two parcels are estimated at \$2,000,000 to \$2,500,000, although actual costs would not be known until appraisals on the land are completed. A non-profit group may be willing to purchase the properties and hold them for a short period of time until the National Park Service is able to designate land acquisition funding.

Since the National Park Service intends to return the proposed additional lands to a 19th century cultural landscape there will be little additional park operational funding needed. Park staff would be able to provide a basic level of resource protection to lands that are acquired through existing financial resources. In the future, funding will be needed to develop visitor use trails as well as rehabilitate and replant the mission orchard as called for in the General Management Plan. No other visitor facilities will be built in the new areas. An additional 1.5 FTE would be needed in personnel for the increased mainte-

nance responsibilities. Costs to accomplish these projects would require one-time funding of approximately \$250,000 for visitor trail, waysides and bridge construction and \$100,000 to reconstruct and replant the orchard. A \$78,000 base increase for maintenance staff would be needed.

H.R. 2234 has generated a cross-section of support. The county supervisor on the Santa Cruz County Board of Supervisors, whose district includes the park, has expressed support. Local community groups that have expressed support for the legislation include the Friends of the Santa Cruz River, the Anza Trail Coalition and the Tubac Historical Society.

Mr. Chairman, this concludes my prepared remarks. I would be pleased to answer any questions you or other members of the subcommittee may have.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, changes in existing law made by the Act H.R. 2234, as ordered reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in Roman):

Public Law 101-344

AN ACT To establish the Tumacacori National Historical Park in the State of Arizona

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. TUMACACORI NATIONAL HISTORICAL PARK.

(a) * * *

(b) AREA INCLUDED.—The park shall consist of the existing Tumacacori National Monument, together with (1) the ruins of Los Santos Angeles de Guevavi, the first mission in Arizona (consisting of approximately 8 acres) and (2) the Kino visita and rancheria ruins of Calabazas (consisting of approximately 22 acres), each as generally depicted on the map entitled “Boundary Map, Tumacacori National Historical Park”, numbered 311/80018, and dated February 1990. *The park shall also consist of approximately 310 acres of land adjacent to the original Tumacacori unit of the park and generally depicted on the map entitled “Tumacacori National Historical Park, Arizona Proposed Boundary Revision 2001”, numbered 310/80,044, and dated July 2001.* [The map] *The maps* shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior.

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